

REMARKS

Summary of the Office Action

Claims 1-16 and 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,775,891 to Aoki et al. in view of U.S. Patent No. 6,552,705 to Hirota.

Claims 17 and 18 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent from including all of the limitations of the base claim and any intervening claims.

Summary of the Response to the Office Action

Claims 1, 8 and 19 have been amended to describe the invention differently. Claims 1-20 are presently pending.

All Claims Define Allowable Subject Matter

Claims 1-16 and 19-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,775,891 to Aoki et al. in view of U.S. Patent No. 6,552,705 to Hirota. To the extent that the Examiner may consider this rejection to apply to newly amended independent claims 1, 8 and 19, the rejection is respectfully traversed as being based upon references that neither teach nor suggest the novel combination of features now recited in independent claims 1, 8 and 19. For example, each of independent claims 1, 8 and 19, as amended, now recites a combination of features including “modulating source data using a look-up table.”

Applicant respectfully submits the neither Aoki et al. nor Hirota, whether taken singly or combined, teach or suggest at least the combinations of elements or steps having the feature of “modulating source data using a look-up table.” MPEP § 2143.03 instructs that “[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974).”

Accordingly, Applicant respectfully asserts that the rejections under 35 U.S.C. § 103(a) should be withdrawn because Aoki et al. nor Hirota, whether taken singly or combined, do not teach or suggest each feature of independent claims 1, 8 and 19, as amended. Furthermore, Applicant respectfully asserts that dependent claims 2-7, 9-18 and 20 are allowable at least because of their dependence on their respective independent claims.

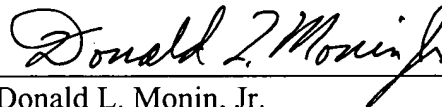
CONCLUSION

In view of the foregoing, Applicant respectfully requests reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicant's undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Donald L. Monin, Jr.
Reg. No. 47,256

Dated: February 17, 2004

Customer No.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-739-7000
Facsimile: 202-739-3001